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Practitioner's Docket No.: GR 97 P 2734

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Frank Hintermaier
Applic. No. : 09/161,196 Group No. : 2811
Filed : September 25, 1998 Examiner : Cuong Q. Nguyen
For : Capacitor Having a Barrier Layer Made of a Transition Metal Phosphide,
Arsenide or Sulfide

Commissioner for Patents
Washington, D.C. 20231

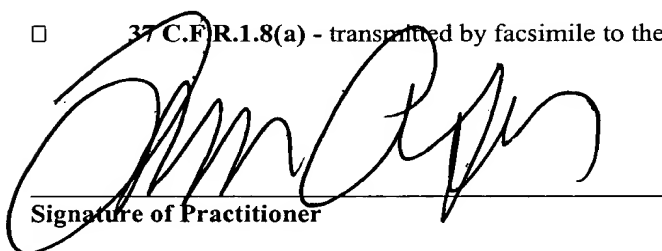
REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

CERTIFICATION UNDER 37 C.F.R.1.8(a) and 1.10
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING/TRANSMISSION

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.
- ☒ 37 C.F.R.1.8(a) - with sufficient postage as first class mail.
- ☐ 37 C.F.R. 1.10 - as "Express Mail Post Office to Addressee"
Mailing Label No. EL US
- ☐ 37 C.F.R.1.8(a) - transmitted by facsimile to the Patent and Trademark Office.



Signature of Practitioner

LAURENCE A. GREENBERG
REG. NO. 29,308

Date: September 6, 2001

09/17/2001 EEKUBAY1 00000023 09161196

01 FC:179

710.00 OP

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above-identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
- i. ☒ Prior to abandonment of the application
 - ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of the issue fee
 - ☐ Issue fee has been paid but a petition under § 1.313 has been granted
 - iii. ☒ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☒ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
 - iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145; or
 - ☐ Commencement of a civil action under 35 U.S.C. 146
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated

SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

3. a) Previously submitted
- ☐ Consider the amendment/reply under 37 C.F.R. 1.116 previously filed on
(Any unentered amendments referred to above will be entered)
 - ☒ Consider the arguments in the Appeal Brief or Reply Brief previously submitted on June 6, 2001.
 - ☐ Other
- b) Enclosed herewith are:
- ☒ An information disclosure (37 C.F.R. §1.98)
 - ☒ Form PTO-1449 (PTO/SB/08A and 08B)
 - ☐ An amendment
 - ☐ New arguments
 - ☐ New evidence in support of patentability
 - ☐ Other:

FEE FOR REQUEST (37 C.F.R. § 1.17(e))

4. This application is on behalf of:
☒ Large entity \$710.00

Continued Prosecution Request Fee \$710.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. §1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	Small Entity			Large Entity	
	Claims remaining after amendment		Highest No. previously paid for	Present Extra	Rate	Add. Fee	Or	Rate	Add. Fee
Total	9	Minus			x\$9=	\$		x\$18=	\$
Indep.	1	Minus			x\$40=	\$		x\$80=	\$
First Presentation of Multiple Dependent Claims					+\$135=	\$		+\$270=	
					Total Addit.Fee		Or	Total Addit.Fee	

- (c) ☒ No additional fee is required.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

- (a) No extension of time is necessary.

TOTAL FEE DUE

7. The total fee due is:
☒ Continued Prosecution Fee (§ 1.17(e)) \$710.00
Total Fees Due \$710.00

PAYMENT OF FEE DUE

8. Please pay the fees for this continued examination application as follows:
- ☒ Charge Credit Card the sum of \$710.00
(Credit Card Payment Form (PTO-2038) attached)

Please charge any required additional fees for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to

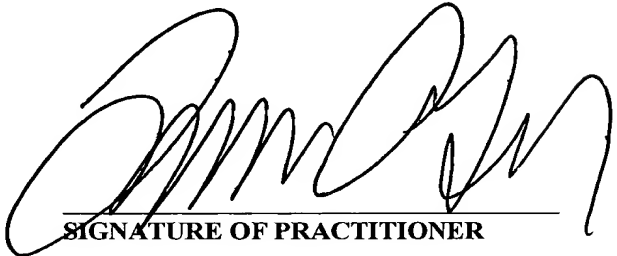
- ☒ Account No. 12-1099 of Lerner and Greenberg, P.A.

INVENTORSHIP

9. This application as amended names as inventors:
- ☒ the same inventors as previously designated for the claims.

10. Instructions as to Overpayment

- ☒ Credit Account No. 12-1099.
- ☐ Refund


SIGNATURE OF PRACTITIONER

LAURENCE A. GREENBERG
REG. NO. 29,308

Date: September 6, 2001

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